

109TH CONGRESS  
1ST SESSION

# H. R. 3672

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 8, 2005

Received

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## AN ACT

To provide assistance to families affected by Hurricane Katrina, through the program of block grants to States for temporary assistance for needy families.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “TANF Emergency Re-  
3 sponse and Recovery Act of 2005”.

4 **SEC. 2. ADVANCE PAYMENT OF TANF BLOCK GRANTS FOR**  
5 **THE FIRST QUARTER OF FISCAL YEAR 2006.**

6       (a) IN GENERAL.—Notwithstanding section 405 of  
7 the Social Security Act, the Secretary of Health and  
8 Human Services shall pay each grant payable under sec-  
9 tion 403 of such Act for the first quarter of fiscal year  
10 2006, as soon as practicable after the date of the enact-  
11 ment of this Act.

12       (b) EXTENSION OF THE TEMPORARY ASSISTANCE  
13 FOR NEEDY FAMILIES BLOCK GRANT PROGRAM  
14 THROUGH DECEMBER 31, 2005.—

15           (1) IN GENERAL.—Activities authorized by part  
16 A of title IV of the Social Security Act, and by sec-  
17 tion 1108(b) of such Act, shall continue through De-  
18 cember 31, 2005, in the manner authorized for fiscal  
19 year 2005, and out of any money in the Treasury  
20 of the United States not otherwise appropriated,  
21 there are hereby appropriated such sums as may be  
22 necessary for such purpose. Grants and payments  
23 may be made pursuant to this authority through the  
24 first quarter of fiscal year 2006 at the level provided  
25 for such activities through the first quarter of fiscal  
26 year 2005.

1 (2) CONFORMING AMENDMENTS.—

2 (A) SUPPLEMENTAL GRANTS FOR POPU-  
 3 LATION INCREASES IN CERTAIN STATES.—Sec-  
 4 tion 403(a)(3)(H)(ii) of the Social Security Act  
 5 (42 U.S.C. 603(a)(3)(H)(ii)) is amended by  
 6 striking “September 30” and inserting “Decem-  
 7 ber 31”.

8 (B) CONTINGENCY FUND.—Section  
 9 403(b)(3)(C)(ii) of such Act (42 U.S.C.  
 10 603(b)(3)(C)(ii)) is amended by striking  
 11 “2005” and inserting “2006”.

12 (C) MAINTENANCE OF EFFORT.—Section  
 13 409(a)(7) of such Act (42 U.S.C. 609(a)(7)) is  
 14 amended—

15 (i) in subparagraph (A), by striking  
 16 “or 2006” and inserting “2006, or 2007”;  
 17 and

18 (ii) in subparagraph (B)(ii), by strik-  
 19 ing “2005” and inserting “2006”.

20 (c) EXTENSION OF THE NATIONAL RANDOM SAMPLE  
 21 STUDY OF CHILD WELFARE AND CHILD WELFARE WAIV-  
 22 ER AUTHORITY THROUGH DECEMBER 31, 2005.—Activi-  
 23 ties authorized by sections 429A and 1130(a) of the Social  
 24 Security Act shall continue through December 31, 2005,  
 25 in the manner authorized for fiscal year 2005, and out

1 of any money in the Treasury of the United States not  
 2 otherwise appropriated, there are hereby appropriated  
 3 such sums as may be necessary for such purpose. Grants  
 4 and payments may be made pursuant to this authority  
 5 through the first quarter of fiscal year 2006 at the level  
 6 provided for such activities through the first quarter of  
 7 fiscal year 2005.

8 **SEC. 3. REIMBURSEMENT OF STATES FOR TANF BENEFITS**  
 9 **PROVIDED TO ASSIST FAMILIES FROM**  
 10 **OTHER STATES AFFECTED BY HURRICANE**  
 11 **KATRINA.**

12 (a) ELIGIBILITY FOR PAYMENTS FROM THE CONTIN-  
 13 GENCY FUND.—Beginning with the date of the enactment  
 14 of this Act and ending with August 31, 2006, a State shall  
 15 be considered a needy State for purposes of section 403(b)  
 16 of the Social Security Act if—

17 (1) cash benefits under the State program  
 18 funded under part A of title IV of the Social Secu-  
 19 rity Act have been provided on a short-term, non-  
 20 recurring basis, to a family which—

21 (A) has resided in another State that in-  
 22 cludes an area for which a major disaster has  
 23 been declared under the Robert T. Stafford  
 24 Disaster Relief and Emergency Assistance Act

1 (42 U.S.C. 5121 et seq.) as a result of Hurri-  
2 cane Katrina; and

3 (B) has travelled (not necessarily directly)  
4 to the State from such other State as a result  
5 of the hurricane; and

6 (2) the State has determined that the family is  
7 not receiving cash benefits from any program funded  
8 under such part of any other State.

9 (b) LIMITATION ON FUNDING.—Subject to section  
10 403(b)(3)(C)(i) of the Social Security Act, the total  
11 amount paid under section 403(b)(3)(A) of such Act to  
12 a State which is a needy State for purposes of section  
13 403(b) of such Act by reason of subsection (a) of this sec-  
14 tion shall not exceed the total amount of cash benefits pro-  
15 vided as described in subsection (a)(1) of this section, to  
16 the extent that the condition of subsection (a)(2) of this  
17 section has been met with respect to the families involved.

18 (c) NO STATE MATCH REQUIRED.—Sections  
19 403(b)(6) and 409(a)(10) of the Social Security Act shall  
20 not apply with respect to a payment made to a State by  
21 reason of this section.

1 **SEC. 4. AVAILABILITY OF ADDITIONAL TANF FUNDS FOR**  
2 **HURRICANE-DAMAGED STATES.**

3 (a) CERTAIN STATES MADE ELIGIBLE FOR LOANS.—  
4 Beginning with the date of the enactment of this Act and  
5 ending with the end of fiscal year 2006:

6 (1) The States of Louisiana, Mississippi, and  
7 Alabama shall be considered loan-eligible States for  
8 purposes of section 406 of the Social Security Act.

9 (2) Notwithstanding section 406(d) of the So-  
10 cial Security Act, the cumulative dollar amount of  
11 all loans made to such a State under such section  
12 by reason of this section shall not exceed 20 percent  
13 of the State family assistance grant payable to the  
14 State under section 403 of such Act for fiscal year  
15 2006.

16 (b) FORGIVENESS OF LOANS.—Notwithstanding sec-  
17 tion 406 of the Social Security Act, a penalty may not  
18 be imposed against any of the States of Louisiana, Mis-  
19 sissippi, or Alabama for failure to—

20 (1) repay a loan made to the State under such  
21 section on or after the date of the enactment of this  
22 Act and before October 1, 2007; or

23 (2) make any interest payment on such a loan.

1 **SEC. 5. AVAILABILITY OF UNSPENT TANF FUNDS TO PRO-**  
2 **VIDE BENEFITS AND SERVICES TO SUPPORT**  
3 **NEEDY FAMILIES AFFECTED BY HURRICANE**  
4 **KATRINA.**

5 A State or tribe may use a grant made to the State  
6 or tribe under part A of title IV of the Social Security  
7 Act for any fiscal year to provide, without fiscal year limi-  
8 tation, any benefit or service that may be provided under  
9 the State or tribal program funded under such part to  
10 support needy families affected by Hurricane Katrina.

11 **SEC. 6. WORK REQUIREMENTS AND TIME LIMITS UNDER**  
12 **TANF PROGRAM NOT TRIGGERED BY RE-**  
13 **CEIPT OF TEMPORARY TANF BENEFITS BY**  
14 **FAMILIES AFFECTED BY HURRICANE**  
15 **KATRINA.**

16 Benefits provided on a short-term, nonrecurring basis  
17 under a State program funded under part A of title IV  
18 of the Social Security Act, during the period that begins  
19 with the date of the enactment of this Act and ends with  
20 the end of fiscal year 2006, to meet a subsistence need  
21 of a family resulting from Hurricane Katrina shall not be  
22 considered assistance for purposes of sections 407 and  
23 408(a)(7) of the Social Security Act.

1 **SEC. 7. WAIVER OF TANF PENALTIES IN HURRICANE-DAM-**  
2 **AGED STATES.**

3       The Secretary of Health and Human Services shall  
4 not impose a penalty on any of the States of Louisiana,  
5 Mississippi, or Alabama under any of paragraphs (2)  
6 through (6), or (8) through (14) of section 409(a) of the  
7 Social Security Act with respect to a failure to comply with  
8 a provision of part A of title IV of such Act during the  
9 period that begins with the date of the enactment of this  
10 Act and ends with the end of fiscal year 2006, if the Sec-  
11 retary determines that the failure resulted from Hurricane  
12 Katrina or reasonable conduct of the State in addressing  
13 needs of victims of Hurricane Katrina.

14 **SEC. 8. EMERGENCY DESIGNATION.**

15       Each amount provided in this Act (other than in sec-  
16 tion 2) is designated as an emergency requirement pursu-  
17 ant to section 402 of H. Con. Res. 95 (109th Congress).

Passed the House of Representatives September 8,  
2005.

Attest:

JEFF TRANDAHL,

*Clerk.*